

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 7-2005)		ATTORNEY'S DOCKET NUMBER 283025US0PCT
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/560364
INTERNATIONAL APPLICATION NO. PCT/IB03/02255	INTERNATIONAL FILING DATE 12 JUNE 2003	PRIORITY DATE CLAIMED NONE
TITLE OF INVENTION COLOURING AND FLAVOURING CAPSULES PROVIDED IN A GEL MEDIUM, AND METHOD AND APPARATUS FOR MAKING SAME		
APPLICANT(S) FOR DO/EO/US Alvaro OTALORA, et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). 11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). <p>Items 13 to 23 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input type="checkbox"/> A FIRST preliminary amendment. 16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 17. <input type="checkbox"/> A substitute specification. 18. <input type="checkbox"/> A power of attorney and/or change of address letter. 19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 22. <input type="checkbox"/> Express Mail Label No. 		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <div style="font-size: 1.5em; font-weight: bold; text-align: center;">10/560364</div>	INTERNATIONAL APPLICATION NO. <div style="font-weight: bold; text-align: center;">PCT/IB03/02255</div>	ATTORNEY'S DOCKET NUMBER <div style="font-weight: bold; text-align: center;">283025US0PCT</div>															
23. Other items or information: <div style="font-weight: bold;">Application Data Sheet</div> <div style="font-weight: bold;">Request for Consideration of Documents Cited in International Search Report</div> <div style="font-weight: bold;">PCT/IB/308</div>																	
The following fees have been submitted: 24. <input checked="" type="checkbox"/> Basic national fee \$300		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">CALCULATIONS</th> <th style="width: 10%;">PTO USE</th> </tr> </thead> <tbody> <tr> <td style="text-align: right;">\$ 300.00</td> <td></td> </tr> </tbody> </table>	CALCULATIONS	PTO USE	\$ 300.00												
CALCULATIONS	PTO USE																
\$ 300.00																	
25. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article as an International Searching Authority \$0 All other situations \$200		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="text-align: right;">\$ 200.00</td> <td></td> </tr> </tbody> </table>	\$ 200.00														
\$ 200.00																	
26. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority \$100 International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. \$400 All other situations \$500		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="text-align: right;">\$ 400.00</td> <td></td> </tr> </tbody> </table>	\$ 400.00														
\$ 400.00																	
TOTAL OF 24, 25 and 26 =		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="text-align: right;">\$ 900.00</td> <td></td> </tr> </tbody> </table>	\$ 900.00														
\$ 900.00																	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(i)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																	
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Total Sheets</th> <th style="width: 15%;">Extra Sheets</th> <th style="width: 30%;">Number of each additional 50 or fraction thereof (round up to a whole)</th> <th style="width: 10%;">RATE</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">- 100 =</td> <td style="text-align: center;">0 /50 =</td> <td style="text-align: center;">0</td> <td style="text-align: right;">x \$250.00</td> </tr> </tbody> </table>	Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE	- 100 =	0 /50 =	0	x \$250.00	<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="text-align: right;">\$ 0.00</td> <td></td> </tr> </tbody> </table>	\$ 0.00							
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE														
- 100 =	0 /50 =	0	x \$250.00														
\$ 0.00																	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="text-align: right;">\$ 130.00</td> <td></td> </tr> </tbody> </table>	\$ 130.00														
\$ 130.00																	
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">CLAIMS</th> <th style="width: 15%;">NUMBER FILED</th> <th style="width: 15%;">NUMBER EXTRA</th> <th style="width: 10%;">RATE</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Total claims</td> <td style="text-align: center;">- 20 =</td> <td style="text-align: center;">0</td> <td style="text-align: right;">x \$50.00</td> </tr> <tr> <td style="text-align: center;">Independent claims</td> <td style="text-align: center;">- 3 =</td> <td style="text-align: center;">0</td> <td style="text-align: right;">x \$200.00</td> </tr> </tbody> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	- 20 =	0	x \$50.00	Independent claims	- 3 =	0	x \$200.00	<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="text-align: right;">\$ 0.00</td> <td></td> </tr> <tr> <td style="text-align: right;">\$ 0.00</td> <td></td> </tr> </tbody> </table>	\$ 0.00		\$ 0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE														
Total claims	- 20 =	0	x \$50.00														
Independent claims	- 3 =	0	x \$200.00														
\$ 0.00																	
\$ 0.00																	
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="text-align: right;">\$ 0.00</td> <td></td> </tr> </tbody> </table>	\$ 0.00														
\$ 0.00																	
TOTAL OF ABOVE CALCULATIONS =		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="text-align: right;">\$ 1,030.00</td> <td></td> </tr> </tbody> </table>	\$ 1,030.00														
\$ 1,030.00																	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="text-align: right;">\$ 0.00</td> <td></td> </tr> </tbody> </table>	\$ 0.00														
\$ 0.00																	
SUBTOTAL =		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="text-align: right;">\$ 1,030.00</td> <td></td> </tr> </tbody> </table>	\$ 1,030.00														
\$ 1,030.00																	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="text-align: right;">\$ 130.00</td> <td></td> </tr> </tbody> </table>	\$ 130.00														
\$ 130.00																	
TOTAL NATIONAL FEE =		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="text-align: right;">\$ 1,160.00</td> <td></td> </tr> </tbody> </table>	\$ 1,160.00														
\$ 1,160.00																	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="text-align: right;">\$ 0.00</td> <td></td> </tr> </tbody> </table>	\$ 0.00														
\$ 0.00																	
TOTAL FEES ENCLOSED =		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="text-align: right;">\$ 1,160.00</td> <td></td> </tr> </tbody> </table>	\$ 1,160.00														
\$ 1,160.00																	
		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 80%;">Amount to be</td> <td style="width: 20%;">\$</td> </tr> <tr> <td>Amount to be</td> <td>\$</td> </tr> </tbody> </table>	Amount to be	\$	Amount to be	\$											
Amount to be	\$																
Amount to be	\$																

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer Number: 22850

SIGNATURE

Norman F. Oblon

NAME

24,618

REGISTRATION NUMBER

DATE

Surinder Sachar
Registration No. 34,423

IAP9 Rec'd PCT/PTO 12 DEC 2005

DOCKET NO.: 283025US0PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Alvaro OTALORA, et al.

SERIAL NO.: NEW U.S. PCT APPLICATION

FILED: HEREWITH

INTERNATIONAL APPLICATION NO.: PCT/IB03/02255

INTERNATIONAL FILING DATE: June 12, 2003

FOR: COLOURING AND FLAVOURING CAPSULES PROVIDED IN A GEL MEDIUM, AND
METHOD AND APPARATUS FOR MAKING SAME

REQUEST FOR CONSIDERATION OF DOCUMENTS
CITED IN INTERNATIONAL SEARCH REPORT

Commissioner for Patents
Alexandria, Virginia 22313

Sir:

In the matter of the above-identified application for patent, notice is hereby given that applicant(s) request that the Examiner consider the documents cited in the International Search Report according to MPEP §609 and so indicate by a statement in the first Office Action that the information has been considered. When the Form PCT/DO/EO/903 indicates both the search report and copies of the documents are present in the national stage file, there is no requirement for the applicant(s) to submit them (1156 O.G. 91 November 23, 1993).

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Norman F. Oblon
Attorney of Record
Registration No. 24,618
Surinder Sachar
Registration No. 34,423

Customer Number
22850

(703) 413-3000
Fax No. (703) 413-2220
(OSMMN 08/03)